MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

JULY 7, 2015

INVOCATION:
Pastor Joe Hunt of Pacific Christian Center gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Boysen led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Patino called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, City Librarian Housel, Director of Public Works/City Engineer Kahn, Police Chief Martin, Acting Fire Battalion Chief Champion, Director of Utilities Springer, Human Resources Manager Ladue, Recreation Services Manager Reyburn, and Chief Deputy City Clerk Garietz.

1. PROCLAMATIONS/COMMENDATIONS/PRESENTATIONS:

A. PROCLAMATION – RECREATION AND PARKS MONTH
Councilmember Waterfield presented a Proclamation declaring July 2015 as Recreation and Parks Month. Recreation and Parks Commissioners Henry Grennan, Kirk Spry, and Chair Laura Henderson accepted the Proclamation and invited everyone to attend various recreation activities being held during the month of July, particularly the Movies and Concerts in the Parks. Commissioner Spry and Councilmember Orach reminded everyone the City would be hosting World Special Olympics athletes at the end of July.

2. PUBLIC COMMENT PERIOD
Wanda McDonald spoke about illegal fireworks that were being set off during the weeks leading up to the Fourth of July and continue to be heard. She expressed concerns for animals and community members who may be war veterans, and the effects the illegal fireworks were causing.

Glenda Stafford spoke about illegal fireworks and issues in her neighborhood, asking if the City could help her resolve them.

Dianne Miller spoke about illegal fireworks being used year-round in her neighborhood and the problems her animals were having with the noise.

Debbie Warren spoke about a lost and found Facebook pet page which has almost 700 members. Many families in Santa Maria are missing pets due to the fireworks. She also expressed concern about the overload to animal control as the animals are picked up. She encouraged the City to instigate penalties under their zero-tolerance regulation.

Kathy Staples spoke about National Day of Prayer. She thanked the City Council for their support and acknowledged Judge Rogelio Flores for helping to make the event so successful. She also presented a DVD of the event to Mayor Patino.

City Manager Haydon stated he would work with the Fire Department, Police Department, and Code Compliance Staff to find a solution to next year's Fourth of July holiday. He also asked Acting Fire Battalion Chief Champion and Police Chief Martin to give an update on this year's Fourth of July activities.

Acting Fire Battalion Chief Champion reported there had been 25 fireworks stands that were inspected for compliance with State and local laws. Fire inspectors visited six permitted block parties to ensure that emergency access was maintained. Suppression crews were called to put out four dumpster fires caused by improperly disposed of fireworks. There was also one residential roof fire, with no damage reported. Seventy-four calls were received reporting illegal firework activity and those were turned over to the Police Department for further investigation. Marian Hospital reported one minor injury. Firefighting staff was increased by three personnel over the 24-hour holiday period.

Police Chief Martin reported the Police Department had 128 calls for service from 6:00 p.m. to 1:00 a.m. on July 4th. There were 18 patrol cars out during the night. Forty-six percent of the calls up to 1:00 a.m. were fireworks-related.

City Manager Haydon summarized the report activity by stating that no arrests were made relating to fireworks incidents and no major structural damage was reported.

3. CONSENT CALENDAR:
Councilmember Orach requested to comment on Item 3C (Personnel changes resulting from the 2015-16 amended budget).

Item 3C – New Classification and Modifications
Councilmember Orach asked what the overall cost with benefits was for the newly proposed position.

Human Resources Manager Ladue gave the breakdown for a few of the positions affected by the 2015-16 budget stating that the reclassification of the Senior Police Records Technician position costs the City approximately $8,000 (including salary and benefits). The Assistant Identification Tech position would be cost neutral as allocations were decreased for the limited-service position to offset the cost of the position, and the cost of the three new police officers was about $310,000 (including salary and benefits).

Consent Calendar Items 3A through 3I were approved on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular Meeting of the City Council of June 16, 2015, were approved as submitted.

C. PERSONNEL CHANGES
Resolution No. 2015-62 was adopted approving the creation of new classifications, re-classifications to existing positions, adjustments to salary ranges, abolishing classifications no longer in use, and approving job specifications as authorized in the 2015-16 Amended City Budget.

Resolution No. 2015-62 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING NEW CLASSIFICATIONS AND MODIFICATIONS TO SALARY RANGES AS A RESULT OF THE AMENDMENTS TO THE ADOPTED 2015-16 BUDGET.

D. CONFLICT OF INTEREST CODE AMENDMENT
Resolution No. 2015-63 was adopted amending Appendix A of the City of Santa Maria's Conflict of Interest Code.

Resolution No. 2015-63 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

E. WARRANTS
Warrant Nos. 193887 to 194125 totaling $2,064,675.32 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant No. 193541 was cancelled.

F. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

G. NO STOPPING ZONE
Resolution No. 2015-64 was adopted establish a no-stopping zone at West Orange Street along the northerly right-of-way, beginning one hundred sixteen (116) feet east of the easterly right-of-way of Pine Street and extending east for fifty-five (55) feet; West Orange Street along the southerly right-of-way, beginning one hundred forty-five (145) feet east of the easterly right-of-way of Pine Street and extending east for twenty (20) feet; and West Orange Street along the southerly right-of-way, beginning one hundred eighty-three (183) feet east of the easterly right-of-way of Pine Street and extending east for fifteen (15) feet.

Resolution No. 2015-64 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING NO-STOPPING ZONES ON WEST ORANGE STREET PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

H. NO STOPPING ZONE
Resolution No. 2015-65 was adopted establishing a no-stopping zone at East Newlove Drive along the southerly right-of-way, beginning four hundred forty-one (441) feet east of the easterly right-of-way of McClelland Street and extending east for twenty (20) feet; and East Newlove Drive along the southerly right-of-way, beginning three hundred ninety-one (391) feet east of the easterly right-of-way of McClelland Street and extending east for twenty (20) feet.

Resolution No. 2015-65 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING NO-STOPPING ZONES ON EAST NEWLOVE DRIVE PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

I. NO STOPPING ZONE
Resolution No. 2015-66 was adopted establishing a no-stopping zone at South Oakley Avenue along the westerly right-of-way, beginning three hundred thirteen (313) feet north of the northerly right-of-way of Boone Street and extending north for twenty (20) feet.

Resolution No. 2015-66 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING A NO-STOPPING ZONE ON SOUTH OAKLEY AVENUE PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

4. LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS. The City Council held a public hearing for the 2015-16 annual assessments for the City's four Landscape Maintenance Districts – Northwest Landscape Maintenance District, Northeast Landscape Maintenance District, Southwest Landscape Maintenance District, and South Miller Street/South College Drive Landscape Maintenance District, and the 21 associated Special Benefit Zones.

Recreation Services Manager Reyburn gave a presentation as detailed in the Council Agenda Report. The landscape assessments presented to the City Council on May 5, 2015, were approved authorizing that assessment amounts be placed on the 2015-16 Santa Barbara County Property Tax rolls. Staff was required to process the new assessments and submit them to the County Assessor's Office by the August 15, 2015 deadline. Annual assessments are adjusted by the Consumer Price Index (CPI). A formula adopted by the City Council limits adjustments in assessments not to exceed three percent annually. However, for 2015-16 no adjustment was being made to current assessment levels. The Landscape Districts and 21 Special Benefit Zone assessments would generate approximately $2.8 million in revenue to fund direct maintenance services and District operations. The City's General Fund provides a financial contribution of approximately $659,600. This contribution was made on behalf of the 24,064 commercial and residential properties not assessed by a Landscape Maintenance District, as they existed prior to the establishment of said Districts.

Public Comment
Chief Deputy City Clerk Garietz indicated that no formal written protests were received relating to the proposed landscape maintenance districts and special benefit zones.

Mayor Patino opened the public hearing at 7:06 p.m. and immediately closed the hearing having no requests to speak.

Council Discussion
There was no discussion by the City Council.

Resolution No. 2015-67 was adopted ordering the assessments for the South Miller Street/South College Drive Landscape Maintenance Assessment District No. DS-6, on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2015-67 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-6.

Resolution No. 2015-68 was adopted ordering the assessments for the Northwest Landscape Maintenance Assessment District No. DS-9, on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2015-68 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-9.

Resolution No. 2015-69 was adopted ordering the assessments for the Northeast Landscape Maintenance Assessment District No. DS-10, on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2015-69 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHEAST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-10.

Resolution No. 2015-70 was adopted ordering the assessments for the Southwest Landscape Maintenance Assessment District No. DS-11, on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2015-70 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-11.

REGULAR BUSINESS:

5. OFFICE OF INDEPENDENT REVIEW – POLICE DEPARTMENT AUDIT FINAL REPORT
City Manager Haydon gave a presentation as detailed in the Council Agenda Report. In February 2012, the City commissioned with Mr. Gennaco of the OIR Group to conduct an independent review and audit of the police department. Mr. Gennaco is the Chief Attorney and the founding member of the OIR Group. With the assistance of other OIR Group attorneys, they have performed a number of high profile management and organizational audits of various governmental entities. The OIR Group has spent years reviewing hundreds of use of force events, critical incidents, and internal affairs investigations. Their internal reviews are designed to ensure thorough and unbiased investigations. Before coming to OIR, Mr. Gennaco was Chief of the Civil Rights Section at the U.S. Attorney's Office for the Central District of California. He also served for ten years as a trial attorney with the Civil Rights Division at the Justice Department in Washington, D.C.

On May 6, 2014, Mr. Gennaco presented the City Council with 57 recommendations for the police department to implement. On December 16, 2014, Police Chief Martin provided the City Council with an update and status report on the department's progress in addressing those 57 recommendations.

A year ago, the City Council asked that Mr. Gennaco come back and apprise the Council on the department's ability to address his recommendations.

OIR Group Chief Attorney, Michael Gennaco, congratulated the Police Department on their efforts since the first audit, educating their staff and improving efficiencies within the Department. He indicated he had additional recommendations resulting from a recent audit requested by City Manager Haydon including: 1) using a mediator, in place of a formal investigation, to resolve low level citizen/police conflicts; and 2) attaching a copy of the downloaded recording of the duration of taser use to police reports for evaluation. He also emphasized two prior recommendations. He encouraged the Police Department to consider a department-wide requirement to attend crisis intervention training and to continue transparency to the public by posting statistical information on the number of times force was used, the number of citizen complaints and other department-related information on the website.

Mr. Gennaco closed his remarks stating that the way the Police Department addresses various conflicts is a testament to the health of the organization and, thanks to enhanced training and leadership, the OIR Group has seen an improvement in accountability and methods of investigation. He also said there had been a change for the better within the organization and its interactions with the community. He encouraged the Department to continue practicing the recommendations and not make them a one-time occurrence.

Councilmember Orach asked if the crisis management component included individuals in mental health crisis situations.

Mr. Gennaco responded that a comprehensive crisis intervention training would encompass mental health crisis situations. In almost all of those situations, it was the police who were first on the scene when called to a disturbance regarding mentally handicapped individuals, and proper training would help the officer understand how the individual was perceiving the interaction.

Councilmember Zuniga asked if there were examples of departments who post information on their website regarding transparency.

Mr. Gennaco said he had examples he could share. He explained there were State laws that protect the privacy of police officers, so no specific names were ever listed, but posting basic information would put the Santa Maria at the forefront of a movement to increase the transparency of law enforcement with the public.

Councilmember Waterfield asked if there were other cities posting this information. She also asked if putting the information on a website had ever been used against the Police Department.

Mr. Gennaco responded Santa Maria would not be the first to do so and that other cities were already using the practice. He said he had never seen a situation where the information was used against a department.

Public Input
Donna Olivera commended the City for its transparency and said she thought posting information on the City's website would create a great resource for the community. She also expressed appreciation for the recommendation regarding training for crisis management.

Council Discussion
Mayor Patino thanked Mr. Gennaco for his report and said she was encouraged by the fact that the OIR Group was going to continue collaborating with the City. She reiterated how important transparency was and that citizens have a right to know what was going on in their city.

All of the Councilmembers recognized City Manager Haydon for having the foresight to hire the OIR Group during the Police Department's time of need. They also recognized Police Chief Martin for his contributions since taking on his position.

Councilmember Zuniga added she was happy to see there would be an on-going relationship with the OIR Group.

Councilmember Waterfield stated that, through her work with the Santa Maria Police Council, the public has noticed the changes in the department. The organization had just had a record breaking fundraiser and she said she would be proud to put the money into further trainings.

City Manager Haydon asked Police Chief Martin to respond to the recommendations of the OIR Group.

Police Chief Martin thanked Mr. Gennaco for his time and efforts working with the Department. He stated that, for the last two years, there had been a Sergeant assigned as a liaison to the County Mental Health and 30 members of the department had completed a 32-hour class in crisis intervention. Each time the County offers a class, five additional officers attend. Chief Martin also said 38 personnel had recently completed a traumatic brain injury, post-traumatic stress disorder, and mental health awareness training. In the next 30-60 days, the Department plans to post its statistics for the last three years on the City's website. Of the arrests over the last year, 1.6 percent involved the use of force. The National average is about 2.2 percent. Citizen complaints in 2012 numbered about four, since then there have been an average 50 to 65 per year and officers are now made aware of that statistic as a part of their training. Chief Martin said he looks forward to continuing the advancement of the Department.

City Manager Haydon indicated the City plans to continue an ongoing collaboration with the OIR Group to continue to monitor and audit the Police Department for years to come.

The report was received and filed.

REPORT BY CITY MANAGER:
City Manager Haydon reported on items for the July 21, 2015, meeting to include several consent agenda items such as no-stopping zones and parking restrictions; a presentation of the drought update by the Director of Utilities; the annual appointments to Boards and Commissions; and the confirmation of weed abatement assessments. He also reported a mailing would be going out with utility bills in the next two weeks regarding water restrictions within the City.

Councilmember Orach reminded everyone to go to the City's website to learn more about their water usage and water saving tips.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Boysen reported that he attended the Central Coast Water Authority Board Meeting, and a meeting in Sacramento regarding the contract for State Water through CCWA, as well as the acquisition of State water that belongs to the County of Santa Barbara.

Councilmember Orach reported that he attended the quarterly Airport District meeting, the 2nd Annual Criterion Bicycle Race in Buellton, and the Annual City Barbecue. He thanked everyone for their time volunteering during the City barbecue. He also stated he attended the Local Agency Formation Commission meeting; spent the 4th of July out in the community observing fireworks activities; and met with the Fugate family regarding issues on their property during the 4th of July.

Councilmember Waterfield reported that she attended the Grand Opening of the new Vallarta store on Broadway; the Santa Barbara County Association of Governments and Air Pollution Control District meetings in Santa Barbara; met with the web designers of the *Keys to the Coast* tourism website; attended the City Barbecue; attended the swearing-in of new police officers; and spoke at a family reunion.

Councilmember Zuniga thanked Councilmember Boysen for doing the Ben Heighes radio show on her behalf. She also reported that she participated in a human trafficking countywide task-force doing a hotel/motel outreach in Lompoc with the Lompoc Police Department. She also attended a press conference for the rollout of new recycling bins in City parks; the City Barbecue; the City's blood drive; a farm workers' rights workshop; and a Community Action Commission meeting.

Mayor Patino reported that she attended the Airport District meeting; the Manufacturers' Forum on pump efficiency; the Summer Meal Kick-Off put on by the Foodbank; the Community Leaders Lunch with Women's Economic Ventures; the ribbon-cutting for the Care Net Pregnancy & Resource Center; the Mental Health Services Act Forum for fiscal year 2015-16; the Sharon Leigh Ovarian Cancer Golf Tournament dinner; the Relay for Life where she gave the welcome address: the City Barbecue; the Filipino-American Association Scholarship Award dinner; the retirement dinner for Phil Alvarado; the Police Department Swearing-In Ceremony; and gave her congratulations to the US Women's Soccer Team.

ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 8:02 p.m.
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APPROVED:

July 21, 2015
Date

Rhonda M. Garietz
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST:

Rhonda M. Garietz, CMC
Chief Deputy City Clerk

Alice M. Patino
Mayor of the City of Santa Maria